

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CRIMINAL CASE NO. 1:12cr127

UNITED STATES OF AMERICA,)
)
)
)
vs.)
)
)
DEMARCUS ANTONIO ROYAL (1))
DELVETO MICHAEL MITCHELL (2))
)

)

O R D E R

THIS MATTER is before the Court on the Government's Motion to dismiss Counts Seven, Eight, Eleven and Twelve [Doc. 17].

In support of the motion, the Government advises that the suspected controlled substances alleged in these Counts has been analyzed by a laboratory and has proven not to be controlled substances. As a result, there is no reason not to dismiss these Counts with prejudice.

IT IS, THEREFORE, ORDERED that the Government's Motion to dismiss Counts Seven, Eight, Eleven and Twelve [Doc. 17] is hereby **GRANTED** and Counts Seven, Eight, Eleven and Twelve are hereby **DISMISSED** from the Bill of Indictment with prejudice.

Signed: February 7, 2013


Martin Reidinger
United States District Judge
